

REMARKS

Claims 1-5, 7-11 and 13-50 are pending in this application, claims 3-5, 7-11, 14-37 and 44-50 having been withdrawn from consideration. By this Amendment, claims 1 and 7 are amended, and claim 6 is canceled. Support for the amendments to claim 1 can be found, for example, in claim 6 as filed. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Claim For Priority

The February 28, 2006, Office Action acknowledged Applicant's claim for foreign priority, but indicated that the certified copy has not been received. In response, Applicant pointed out that a certified copy of the foreign priority application was filed on July 7, 2004, along with a Claim for Priority. The Claim for Priority appears in the Image File Wrapper as dated July 7, 2004. Furthermore, Applicant notes that the Image File Wrapper also contains an entry for July 7, 2004, entitled "Artifact sheet indicating an item has been filed which cannot be scanned." That Artifact sheet appears to indicate that the certified copy of the priority application has been placed in an artifact file.

This issue was not further addressed in the present Office Action. Applicant respectfully requests that the Examiner obtain and review the artifact file, and confirm receipt of the certified copy of the priority application in the next communication.

II. Rejections Under §103

A. Lyu, Winker, Kajiyama, Parri

The Office Action rejects claims 1 and 13 under 35 U.S.C. §103(a) over U.S. Patent No. 6,646,701 to Lyu et al. ("Lyu") in view of U.S. Patent No. 5,504,603 to Winker et al. ("Winker") and U.S. Patent No. 5,403,510 to Kajiyama et al. ("Kajiyama"). The Office Action also rejects claims 2, 38-40 and 43 under 35 U.S.C. §103(a) over Lyu in view of

Winker, Kajiya and U.S. Patent Application Publication No. 2004/0095532 to Parri et al. ("Parri").

Although Applicant does not necessarily agree with the rejections, in the interest of advancing prosecution claim 1 is amended to incorporate the subject matter of non-rejected claim 6. Accordingly, the rejections are overcome and must be withdrawn. Reconsideration and withdrawal of the rejections are respectfully requested.

B. Lyu, Winker, Kajiya, and Su Yu

The Office Action rejects claim 6 under 35 U.S.C. §103(a) over Lyu in view of Winker, Kajiya and U.S. Patent Application Publication No. 2004/0051831 to Su Yu et al. ("Su Yu"). Applicant respectfully traverses the rejection.

This rejection is improper because Applicant's priority date precedes the filing date of Su Yu. Su Yu has an actual filing date in the United States of May 19, 2003, and was published on March 18, 2004. The instant application, however, was filed on September 5, 2003, claiming priority based on a Japanese patent application filed September 6, 2002. A certified copy of the Japanese patent application was previously filed on July 7, 2004. An accurate English-language translation of the Japanese priority patent application is being prepared, and will be submitted as soon as it is available. As the instant claims are fully supported by the priority document, Su Yu is not prior art to the instant application, and the rejection must be withdrawn.

Reconsideration and withdrawal of the rejections are respectfully requested.

C. Lyu, Winker, Kajiya, and Hara

The Office Action rejects claims 41 and 42 under 35 U.S.C. §103(a) over Lyu in view of Winker, Kajiya, Parri and U.S. Patent Application Publication No. 2005/0151896 to Hara et al. ("Hara"). Applicant respectfully traverses the rejection.

Although Applicant does not necessarily agree with the rejections, in the interest of advancing prosecution claim 1 is amended to incorporate the subject matter of non-rejected claim 6. Accordingly, the rejections are overcome and must be withdrawn. Reconsideration and withdrawal of the rejections are respectfully requested.

Furthermore, this rejection is also improper because Applicant's priority date precedes the filing date of Hara. Hara is the U.S. National Phase of a PCT application filed April 17, 2003. However, because the PCT application was not published in English, Hara does not have an effective prior art date under 35 U.S.C. §102(e). The earliest effective prior art date of Hara would be either July 14, 2005 (the publication date of the U.S. application) or November 6, 2003 (the publication date of the corresponding PCT application). As described above, the instant application, however, was filed on September 5, 2003, claiming priority based on a Japanese patent application filed September 6, 2002. A certified copy of the Japanese patent application was previously filed on July 7, 2004. An accurate English-language translation of the Japanese priority patent application is being prepared, and will be submitted as soon as it is available. As the instant claims are fully supported by the priority document, any publication of Hara is not prior art to the instant application, and the rejection must be withdrawn.

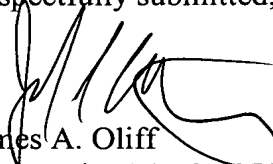
Reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 7-11 and 13-50 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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